

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

James Parker Byrd,)	C/A No.: 3:09-609-JFA
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
TransUnion, LLC; Experian)	
Information Solutions, Inc.; and)	
Equifax Information Services, LLC,)	
)	
Defendants.)	
_____)	

This matter comes before the court upon the summary judgment motion of the defendant, Equifax Information Services, LLC (dkt. # 74]. The court heard oral argument on the motion on April 7, 2010, and at the conclusion of the hearing, took the matter under advisement.

After carefully considering the arguments advanced by the parties, and the applicable law in this case, the court is constrained to deny the motion and set this case for trial. It is obvious that several of the issues that were debated at the summary judgment hearing will arise again at trial, and the court will address those issues at the appropriate point during the trial. The court also finds that genuine issues of material fact remain as to the damages suffered by plaintiff James Parker Byrd.

One of the original defendants, TransUnion, LLC, is no longer a party to this suit by virtue of a joint stipulation of dismissal. The remaining defendant, Experian Information

Solutions, Inc., did not file a motion for summary judgment.

The Clerk will soon send to counsel of record and information packet concerning voir dire requests, scheduling deadlines, and the like. This case is calendared for the term of court beginning with jury selection on Tuesday, May 11, 2010.

IT IS SO ORDERED.

April 8, 2010
Columbia, South Carolina

A handwritten signature in black ink, reading "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.
United States District Judge